

**UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
OAKLAND DIVISION**

J. DOE 1, et al.,  
Individual and Representative Plaintiffs,  
v.  
GITHUB, INC., et al.,  
Defendants.

Case Nos. 4:22-cv-06823-JST  
4:22-cv-07074-JST

**STIPULATION AND [PROPOSED] ORDER  
REGARDING REDACTED PORTIONS OF  
ORDER GRANTING IN PART DENYING  
IN PART MOTION TO DISMISS (ECF NO.  
189)**

1 Plaintiffs Doe 1, Doe 2, Doe 3, Doe 4, and Doe 5 (“Plaintiffs”); Defendants GitHub, Inc.  
2 (“GitHub”); Microsoft Corporation (“Microsoft”); and Defendants OpenAI, Inc.; OpenAI, LP; OpenAI  
3 OpCo, LLC; OpenAI GP, LLC; OpenAI Startup Fund GP I, LLC; OpenAI Startup Fund I, LP; and  
4 OpenAI Startup Fund Management, LLC (“OpenAI”) (all collectively, the “Parties”) hereby stipulate  
5 and agree as follows:

6 WHEREAS, on January 3, 2024, this Court entered its Order Granting in Part Denying in Part  
7 Motion to Dismiss (ECF No. 189) (“MTD Order”), which included information previously ordered  
8 sealed (*see* ECF Nos. 114, 115, 133, 157);

9 WHEREAS, on January 3, 2024, this Court entered its Order Re: Order Granting in Part Denying  
10 in Part Motion to Dismiss (ECF No. 190), which required the parties to file a stipulated proposed  
11 redacted version of the MTD Order;

12 WHEREAS, the Parties have agreed on which portions of the MTD Order that contain and/or  
13 refer to material previously ordered sealed by this Court that Plaintiffs request be sealed (“Sealing  
14 Requests”);

15 WHEREAS, the Parties have herewith lodged with the Court a PDF of the MTD Order with the  
16 ECF header removed and the Sealing Requests highlighted;

17 **IT IS HEREBY STIPULATED AND AGREED AS FOLLOWS:**

18 1. The Sealing Requests identified in the MTD Order lodged concurrently with this  
19 Stipulation shall be redacted from the publicly available copy of the MTD Order.

20 **PURSUANT TO STIPULATION, IT IS SO ORDERED.**

22 Dated:

23 Honorable Jon S. Tigar  
United States District Judge

1 Dated: January 10, 2024

By: /s/ Joseph R. Saveri  
Joseph R. Saveri

2 Joseph R. Saveri (State Bar No. 130064)  
3 Cadio Zirpoli (State Bar No. 179108)  
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11 *Counsel for Plaintiffs and the Proposed Class*

13 Dated: January 10, 2024

By: /s/ Annette L. Hurst  
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14 Annette L. Hurst (State Bar No. 148738)

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19 *Counsel for GitHub, Inc. and Microsoft Corporation*

1 Dated: January 10, 2024

By: /s/ Joseph C. Gratz  
Joseph C. Gratz

2 Joseph C. Gratz (State Bar No. 240676)  
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7 *Counsel for OpenAI, Inc., OpenAI, L.P., OpenAI GP,*  
8 *LLC, OpenAI OpCo, L.L.C., OpenAI Startup Fund GP*  
9 *I, L.L.C, OpenAI Startup Fund I, L.P., and OpenAI*  
10 *Startup Fund Management LLC*

## **SIGNATURE ATTESTATION**

Pursuant to Local Rule 5-1(h)(3), I attest under penalty of perjury that concurrence in the filing of this document has been obtained from any other signatory to this document.

Dated: January 10, 2024

By: /s/ Joseph R. Saveri  
Joseph R. Saveri